

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE - CENTRAL

MICHAEL GRISSOM Sole Proprietor doing  
Business as American Family Auto,

Plaintiff,

vs.

No. RIC475298

DEALER SERVICES CORPORATION, a  
Delaware corporation; BOSCH KIA, a  
Nevada Corporation dba, FONTANA  
BOSCH AUTO CENTER INC., DIAL FINANCE;  
CLAUDIA PONCE, an individual; ROSA D.  
MACIAS, an individual; ALFRED KING,  
an individual; CARLOS BOSCH, an  
individual; MARK WHITE, an individual;  
and DOES 1 through 100, inclusive,

Defendants.

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DEPOSITION OF JOHN WICK

Santa Ana, California

Friday, February 25, 2011

Reported by: ANGELA METZ

CSR No. 12454

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 COUNTY OF RIVERSIDE - CENTRAL

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4 MICHAEL GRISSOM Sole Proprietor doing  
Business as American Family Auto,

5 Plaintiff,

6 vs. No. RIC475298

7 DEALER SERVICES CORPORATION, a  
8 Delaware corporation; BOSCH KIA, a  
9 Nevada Corporation dba, FONTANA  
BOSCH AUTO CENTER INC., DIAL FINANCE;  
CLAUDIA PONCE, an individual; ROSA D.  
10 MACIAS, an individual; ALFRED KING,  
an individual; CARLOS BOSCH, an  
individual; MARK WHITE, an individual;  
and DOES 1 through 100, inclusive,

11  
12 Defendants.

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16 Deposition of JOHN WICK,  
17 taken on behalf of Defendants, at  
18 2122 North Broadway, Suite 200,  
19 Santa Ana, California, beginning at  
20 10:09 a.m. and ending at 5:00 p.m.  
21 on Friday, February 25, 2011, before  
22 ANGELA METZ, Certified Shorthand  
23 Reporter No. 12454.

24

25

1 APPEARANCES:

2 For Plaintiff:

3 JULANDER, BROWN, BOLLARD & CHAPMAN  
4 BY: WILLIAM D. CHAPMAN, ESQ.  
5 9110 Irvine Center Drive  
Irvine, California 92618  
(949) 477-2100

6 For Defendants:

7 PRENOVOST NORMANDIN BERGH & DAWE, A.P.C.  
8 BY: TOM RODDY NORMANDIN, ESQ.  
2122 North Broadway, Suite 200  
9 Santa Ana, California 92706  
(714) 547-2444

10

11 Also present:

12 MIKE LANGSTON

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14 Videographer:

15 RUSTY KING

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INFORMATION REQUESTED

(None.)

INSTRUCTION NOT TO ANSWER

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1 with a Live Note hookup.

2 So this is the first time that I've been  
3 notified that you had canceled the videographer, and  
4 I insist on proceeding with my portion of the  
10:12 5 deposition with videotape.

6 MR. NORMANDIN: You need to do whatever you  
7 need to do. You obviously didn't read my Notice of  
8 Deposition for this witness today, and my staff  
9 doesn't make decisions on whether a deposition is

10:12 10 videographed or not. So let's proceed.

11 BY MR. NORMANDIN:

12 Q Mr. Wick, what is your title with Dealer  
13 Services?

14 A I am general counsel, and I am secretary.

10:13 15 Q How long have you held that position?

16 A Since March, 2005.

17 Q Are you also a custodian of records?

18 A I'm sorry?

19 Q Are you also a custodian of records?

10:13 20 A Yes.

21 Q Generally describe what you do as general  
22 counsel for Dealer Services.

23 A I run our legal department. I oversee all  
24 legal matters affecting the company, including  
10:13 25 regulatory compliance, licensing compliance -- any

1           Q    Okay. Other than typos, in terms of those  
2       two or three major changes, what were those changes?

3           A    Really only two major changes: One, of  
4       course, was in conjunction with post-licensing date  
01:03 5       activity in California. We --

6           Q    Oh, let me -- I'm sorry, but I -- I just  
7       may shorten your answer.

8                  I'm just talking about changes before AFA  
9       signed.

01:03 10          A    I don't think any changes were made.

11          Q    Okay.

12          A    I mean, nothing of material or substance.

13          Q    Okay. Did any dealer ever tell you they  
14       wanted to make changes to the form before they  
01:03 15       signed it?

16          A    They could have told our branch managers.  
17       We made it clear, obviously, that these are forms  
18       and happy to answer questions if they have them, but  
19       it's not a document that we're going to negotiate.

01:04 20          Q    So it's a -- what we might call a  
21       "take-it-or-leave-it document".

22          A    Sure.

23          Q    Okay.

24          A    Kind of like a credit card application or a  
01:04 25       credit card agreement.